

# STATE OF CONNECTICUT

## OFFICE OF POLICY AND MANAGEMENT INTERGOVERNMENTAL POLICY DIVISION

April 21, 2008

Members of the Continuing Legislative Committee on  
State Planning and Development:

The Honorable Eric D. Coleman  
The Honorable Art Feltman  
The Honorable Jonathan A. Harris  
The Honorable Leonard Fasano  
The Honorable Craig A. Miner  
The Honorable Joseph J. Crisco, Jr.  
The Honorable Bill Finch  
The Honorable Antonio (Tony) Guerrero  
The Honorable Jack Malone  
The Honorable Richard Roy

Dear Senators and Representatives:

In accordance with Section 16a-32 of the Connecticut General Statutes, the Office of Policy and Management (OPM) is providing notice to the Continuing Legislative Committee on State Planning and Development that it is in receipt of an application for an interim change to the Locational Guidemap of the *Conservation and Development Policies Plan for Connecticut, 2005-2010 (C&D Plan)*, submitted by Norwichtown Development, LLC. The applicant is requesting the reclassification of approximately 40 acres of land that are currently classified Rural Lands to Neighborhood Conservation, in the City of Norwich. The applicant is making this request primarily to facilitate the running of public water and sewer to this area.

In accordance with the recent actions of the Legislative Regulation Review Committee, OPM is seeking written approval from the Continuing Committee prior to initiating this proposed revision to the C&D Plan.

If the Continuing Committee directs OPM to undertake the revision process, OPM will process the application in accordance with its regulations.

Sincerely,

A handwritten signature in black ink, appearing to read "W. David LeVasseur".

W. David LeVasseur, Undersecretary  
Intergovernmental Policy Division

Attachment: Interim Change application, Norwichtown Development, LLC

# MURTHA CULLINA LLP

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April 15, 2008

Robert L. Genuario, Secretary  
Office of Policy and Management  
State of Connecticut  
450 Capitol Avenue  
Hartford, CT 06106-1379

Re:    Interim Amendment to Locational Map for Conservation  
and Development Policies Plan for Connecticut, 2005-2010.

Dear Secretary Genuario:

I am writing on behalf of Norwichtown Development, LLC to request an interim amendment to the Locational Map for Norwich incorporated in the Conservation and Development Policies Plan for Connecticut, 2005-2010 ("State Plan"), pursuant to Section 16a-32(b)(2) of the Connecticut General Statutes.

The applicant is the owner of property bounded by Scotland Road on the East, Hansen Road on the West and Plain Hill Road on the North in Norwich. As required by Section 16a-24b-2 of the Regulations of Connecticut State Agencies, I am submitting this application in triplicate with supporting documentation consisting of:

- 1)    the required depiction of the land area proposed to be changed outlined on a U.S. Geological Survey topographic series map at a scale of 1:24,000 (1"-2,000') and identified as Area 1; and
- 2)    two supplemental drawings at a more detailed scale showing a) the existing designations and development in the area of the property, identified as Scotland and Hansen Roads Site Development Area ("Site Development Area Map"), and b) the location of the property with respect to existing sewer and water service, identified as Scotland & Hansen Roads Area Overview ("Area Overview Map").

BOSTON

HARTFORD

NEW HAVEN

STAMFORD

WOBURN

Robert L. Genuario, Secretary  
April 15, 2008  
Page 2

The property is approximately 59.9 acres in size with a recorded conservation easement covering the easterly one-third of the property along Scotland Road. The remainder of the parcel, which is the subject of this application, is classified Rural Land under the State Plan, and the applicant wishes to have it designated as Neighborhood Conservation, which is consistent with the existing residential land use of the properties abutting the parcel to the west and north along Hansen and Plain Hill Road, its proximity to I-395 and the large areas of land classified as Growth Area or Neighborhood Conservation immediately adjacent to I-395. See Site Development Area Map.

The parcel in question is in an R-80 zone, but under Section 7.6 of the Special Regulations of the Norwich Zoning Ordinance ("Special Regulations") applicable to Active Adult Communities, the property is eligible for development at a greater density if its use is restricted to an Active Adult Community, and it exceeds 10 acres. See Section 7.6.4.(a)(2) of the Special Regulations attached.

One of the requirements for development of the property under Section 7.6 is that the property be connected to public water and sewer, which is inconsistent with the current land use classification imposed on the property by the State Plan, which is designated as Rural Land. As you are aware, the overall policy contained in the State Plan for Rural Land is to "protect the rural character of these areas by avoiding development forms and intensities that exceed on-site carrying capacity for water supply and sewage disposal, except where necessary to resolve localized public health concerns."

By contrast, the Neighborhood Conservation Area, which is the classification the applicant seeks, is designed to "promote infill development in areas that are at least 80% built up and have existing water, sewer and transportation infrastructure to support such development."

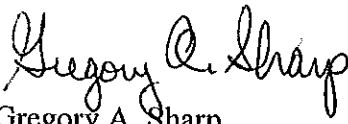
As you can see from the Site Development Area Map, the Area 1 parcel is proximate to I-395 and extensive areas of classified as Growth Areas or Neighborhood Conservation which are served by the requisite utilities. Reclassification of the property is unlikely to have an adverse impact on the small area of Rural Land along Lawler Lane between the Growth Area and Area 1.

The applicant seeks an amendment of the State Plan Locational Map for Norwich to amend the classification of his property from Rural Land to Neighborhood Conservation and, for the foregoing reasons, respectfully requests the Secretary to grant the change.

Robert L. Genuario, Secretary  
April 15, 2008  
Page 3

While I will allow the municipal officials to speak for themselves through the amendment process, it is my understanding that my client and his engineer have spoken informally to staff of various departments in the City of Norwich and have been encouraged to pursue this application with your agency.

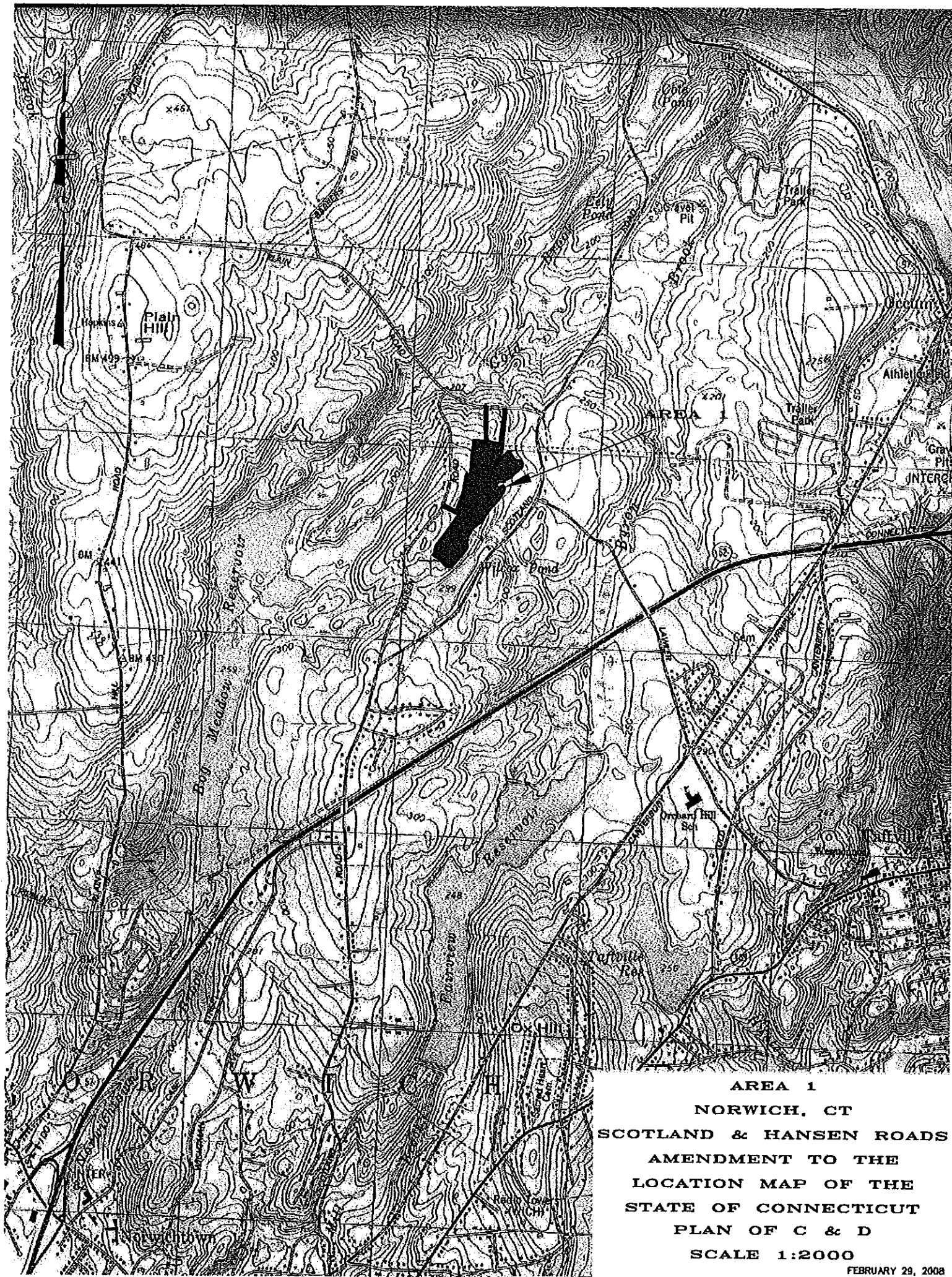
Very truly yours,

  
Gregory A. Sharp

Enclosures:






U.S.G.S. Quadrangle Map  
Two Drawings  
Zoning Regulations

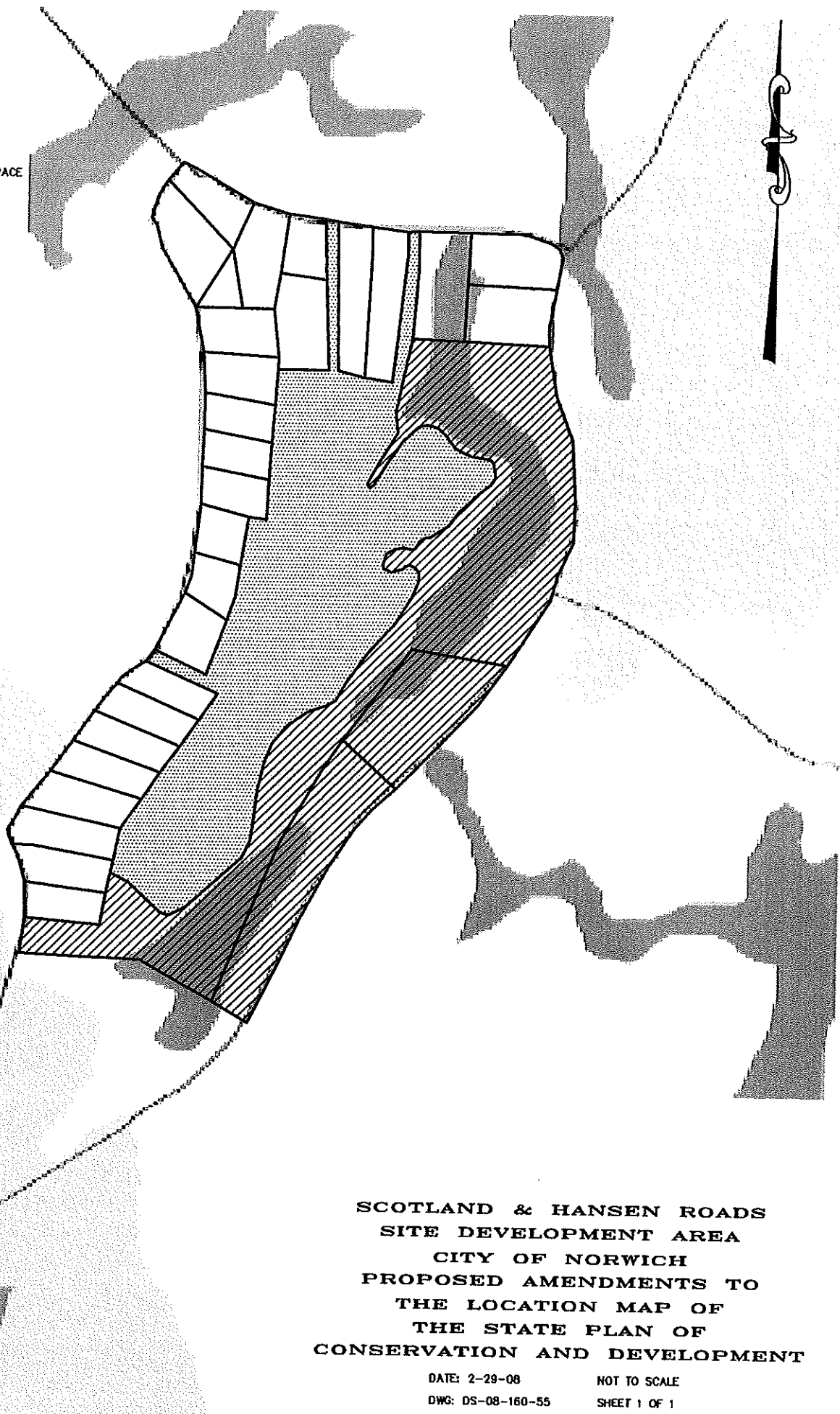
cc: Mr. Frank Donner  
Pat Lafayette, P.E.



AREA 1  
NORWICH, CT  
SCOTLAND & HANSEN ROADS  
AMENDMENT TO THE  
LOCATION MAP OF THE  
STATE OF CONNECTICUT  
PLAN OF C & D  
SCALE 1:2000

# LEGEND

-  RURAL LANDS
-  CONSERVATION AREA
-  PRESERVATION AREA
-  EXISTING PRESERVED OPEN SPACE
-  GROWTH AREA



## SCOTLAND & HANSEN ROADS SITE DEVELOPMENT AREA CITY OF NORWICH PROPOSED AMENDMENTS TO THE LOCATION MAP OF THE STATE PLAN OF CONSERVATION AND DEVELOPMENT







DATE: 2-29-08

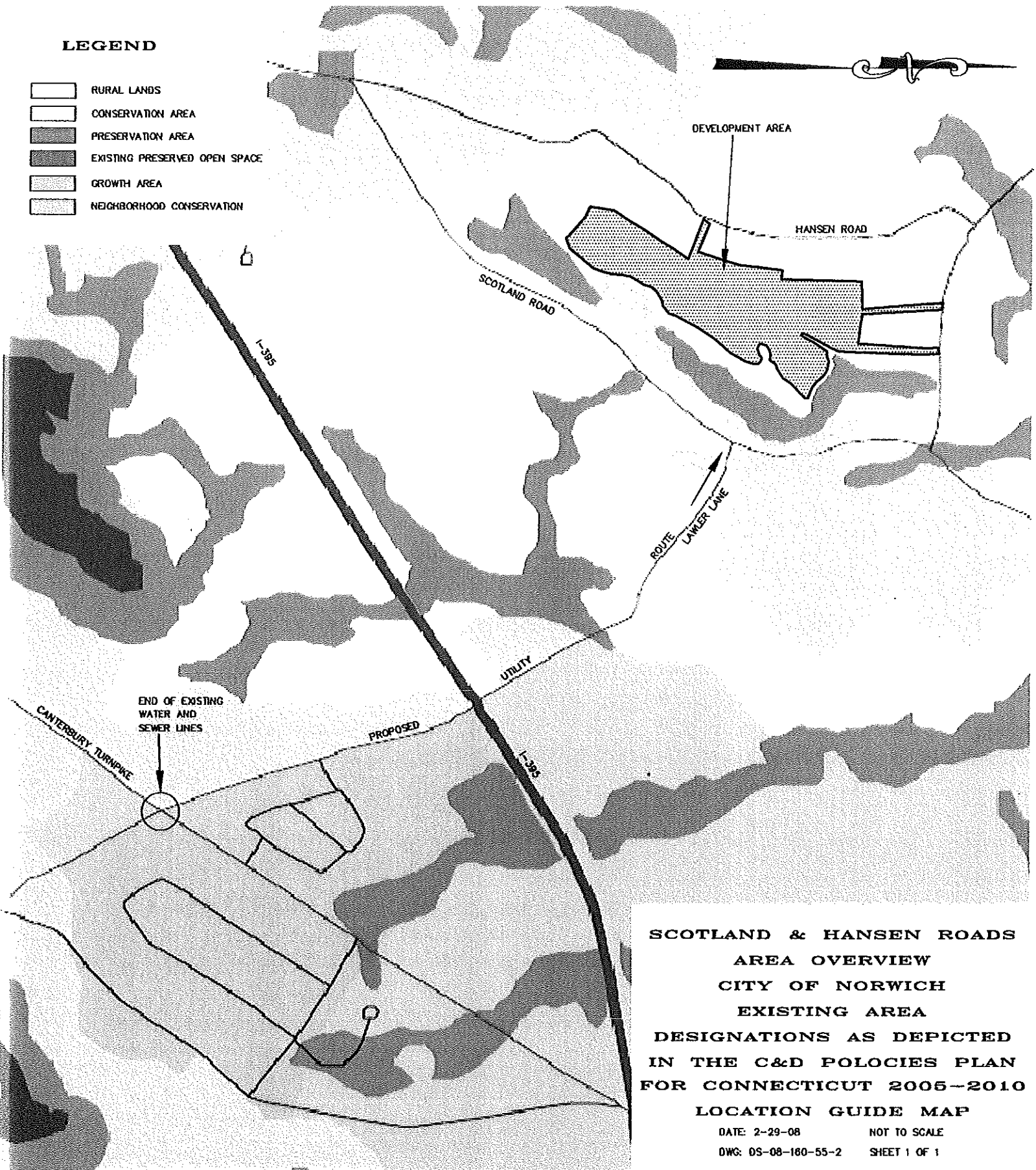
NOT TO SCALE

DWG: DS-08-160-55

SHEET 1 OF 1

# LEGEND

-  RURAL LANDS
-  CONSERVATION AREA
-  PRESERVATION AREA
-  EXISTING PRESERVED OPEN SPACE
-  GROWTH AREA
-  NEIGHBORHOOD CONSERVATION



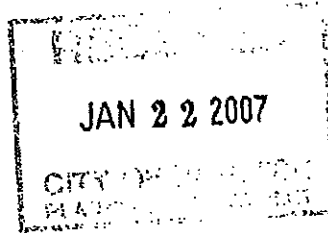
**SCOTLAND & HANSEN ROADS  
AREA OVERVIEW  
CITY OF NORWICH  
EXISTING AREA  
DESIGNATIONS AS DEPICTED  
IN THE C&D POLOCIES PLAN  
FOR CONNECTICUT 2005-2010  
LOCATION GUIDE MAP**

DATE: 2-29-08

NOT TO SCALE

DWG: 05-08-180-55-2

SHEET 1 OF 1



ORDINANCE 1560  
ADOPTED 1/16/2007  
PUBLISHED 1/19/2007

**AN ORDINANCE AMENDING CHAPTER 7. SPECIAL REGULATIONS OF THE NORWICH ZONING ORDINANCE BY ADDING SECTION 7.6 ACTIVE ADULT COMMUNITIES**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH:** that Chapter 7. Special Regulations of the Norwich Zoning Ordinance be amended by adding Section 7.6 Active Adult Communities as follows:

**Sec. 7.6 Active Adult Communities**

**7.6.1. Intent.** The intent of this section is to provide for developments for adults 55 years of age or older which shall be known as Active Adult Communities and shall fully comply with the provisions of the United States Fair Housing Act, as amended, (42 USC Sec 3601, et. seq.), The Housing for Older Persons Act of 1995, 242 CFR Section 100.304, as amended, and in accordance with Federal law.

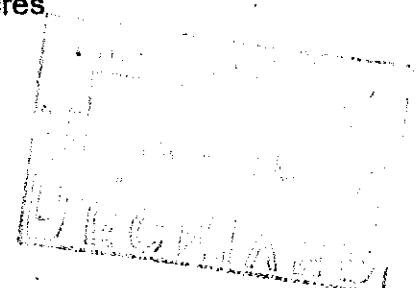
**7.6.2 Application Procedure.** All applications for Active Adult Communities shall be subject to special permit review in accordance with Section 17.2 of these regulations. In addition to the notice required under Section 17.2.2, additional notice shall be given by certified mail by the applicant or property owner to owners of any property within 500 feet of the proposed Active Adult Community.

**7.6.3. Permitted Active Adult Community Uses.** The only permitted use within the Active Adult Community shall be single family detached, two-family and multi-family attached dwellings (high rise or garden apartments), as well as accessory uses (e.g., garages and community rooms), as determined and approved by the Commission on the City Plan which are intended and designed for the maintenance and/or operation of the Active Adult Community and/or the use of its residents.

**7.6.4 Schedule of Parcel and Building Requirements for Active Adult Communities..** No parcel shall be used and no building shall be erected in Active Adult Community except in conformance with the following requirements:

- (a) **Parcel Area.** The minimum area for a parcel or parcels to be used for an Active Adult Community shall be:
- (1) R-20 Residence District - not less than 10 acres.
  - (2) R-40 Residence District - not less than 10 acres
  - (3) R-80 Residence District - not less than 10 acres
  - (4) MF Multifamily District - not less than 5 acres.

NATURE SAVER™ FAX MEMO 01616		Date 1/15	For pages 6
To Pat	From Tiarine	Co.	
Co./Dept.		Phone # 823-37166	
Phone #		Fax #	
Fax # 204-0652			



- (b) **Density Standards.** Density standards for an Active Adult Community shall be no more than 8 units per acre.
- (c) **Building Height Requirements.** Notwithstanding Section 1.9 of these regulations, buildings within an Active Adult Community shall not exceed 40', which shall be measured from the highest adjacent grade. As used herein, "adjacent grade" shall mean the highest grade height located at the building corners.
- (d) **Minimum Distances Between Buildings.** The minimum distance between active adult residence dwellings on the same parcel shall be no less than 10 feet.
- (e) **Yard Requirements.** Minimum set back requirements for the parcel shall be in accordance with the following schedule: front yards, 50 feet; side yards, 50 feet and rear yards 50 feet.
- (f) **Lot Coverage.** The total area of all roofed structures on a lot shall not exceed 25 percent of the lot area.
- (g) **Off-Street Parking Requirements.** Off-street parking space shall be provided at the rate of 1½ spaces per dwelling unit. If site conditions permit, the Applicant shall incorporate an indoor garage for each single family detached and 2 family attached dwelling unit. Applicant shall consult with the City Planner and City Engineer concerning this requirement.
- (h) **Sanitary Requirements.** All such buildings shall be connected to public water and public sanitary sewerage systems, or private sewerage systems which meet the minimum requirements of local and state departments of health.
- (i) **Landscaping Requirements.** A landscaped buffer strip, at least 20 feet wide, seeded to grass or mulched and planted with evergreen trees and shrubs a minimum of six (6) feet in height at time of planting and capable at all times of the year of satisfactorily obscuring sight, sound and illumination from adjacent property, shall be placed along the boundary line of any rear, side or front yard. Said buffer shall be increased by 1 foot for each foot that any building exceeds 25 feet in height. This requirement may be altered by the Commission on the City Plan when conditions so warrant, to be in harmony with the intent to effectively screen the building and vehicular parking from adjacent residences.

- (j) Minimum Floor Areas. Single-family, two-family and multi-family active adult residence dwellings shall comply with the following express conditions:
- (1) The minimum floor area for a single-family Active Adult Community unit containing one bedroom shall be 1,000 square feet.
  - (2) The minimum floor area for a single-family Active Adult Community unit containing two bedrooms shall be 1,200 square feet.
  - (3) The minimum floor area for a two-family or multi-family Active Adult Community unit containing one bedroom shall be 1,000 square feet.
  - (4) The minimum floor area for a two-family or multi-family Active Adult Community unit containing two bedrooms shall be 1,200 square feet.

(k) Architectural Design Considerations: There shall be submitted with each application for an Active Adult Community a floor plan for each type or style for each dwelling unit. It is the intent of this section that all buildings within the Active Adult Community not be of the same architectural style. The applicant will, therefore, have two or more styles or type of dwelling units containing different floor plans and differing exterior appearances, while maintaining the architectural integrity of the Active Adult Community. Such building designs, in the opinion of the Commission on the City Plan shall be designed to be harmonious in size, appearance, color, material and natural setting. No change may be made in the approved architectural style without the approval of the Commission on the City Plan.

(l) Recreation Area. The developer shall provide an area for passive and/or active recreation for the residents of the active adult community. A minimum of ten percent of the total lot area, excluding streets, or 300 square feet per dwelling unit, which ever is greater, shall be provided as usable recreation area.

No part of any sidewalk, driveway required yard, buffer or parking area shall be included as part of any such recreation area. Regulated areas, i.e., wetlands shall not be included within the calculation of recreation areas.

In designing the recreation/open space areas of the Active Adult Community, the applicant shall incorporate in its design varying locations of recreation areas throughout the site and generally proximate to the buildings, the final design to be in consultation with the Planning Department Staff.

(m) **Improvements.** Utilities, streets, and related improvements shall conform to City requirements and design standards. All utilities shall be underground. Sidewalks shall be provided. All streets developed in an Active Adult Community shall be private roads and shall not be public streets in the City of Norwich, and shall be maintained by the Active Adult Community.

(n) **Handicapped Access.** Provisions for the physically handicapped, including wheelchair access; curb cuts and curb inclines for sidewalks; dwelling units expressly designed for the handicapped; building access; and parking space location and other architectural treatment shall be in accordance with the State of Connecticut Basic Building Code, and all applicable Americans with Disabilities Act or other Federal requirements.

(o) **Signs.** Subject to the provisions of Chapter 16 of these regulations, one freestanding permanent sign identifying the Active Adult Community shall be provided at each point of ingress to the development. All freestanding permanent signs shall be located on the site development plan, and shall be described as to area, dimension, height and materials. No lighting, other than indirect spotlighting, shall be permitted. All signs are subject to the review and approval of the Zoning Enforcement Officer. Maximum size shall be limited to thirty-two (32) square feet, have a maximum height of twelve (12) feet, and each sign must be of carved wood or material which has a similar carved appearance. Such sign must be set back from the intersecting street line a minimum of twenty (20) feet within a landscaped island, and shall be illuminated by indirect spot lighting only.

(p) **Site Lighting.** Outdoor lighting shall be provided, to ensure proper and safe illumination of streets, parking areas, recreational areas as required, and walkways, in locations and type as approved by the Commission on the City Plan. Such lighting shall be shielded and directed so that indirect light, falling outside the development, shall be of low intensity and shall not cause a nuisance from excessive glare or shine into the eyes of anyone external to the site. In addition, any outdoor illumination shall not shine directly into any dwelling unit. The applicant shall provide proposed site and building lighting consistent with the architectural elements of the buildings.

(q) **Angle of Light Obstruction.** No building hereafter erected or altered shall extend above an inclined plane established by an angle of light obstruction of 45 degrees along any abutting street, any rear lot line, or any side lot line. Such plane shall be interpreted for the street side as intersecting a horizontal plane at the center line of any point on a wall of the building facing on each such street; for other boundaries, it shall be interpreted as intersecting a horizontal plane at the natural ground level along

the required rear yard line of the adjacent lot to the rear and required side yard line of the adjacent lot to the side at the nearest point on the rear or side wall of the building.

(r) **Solid Waste Disposal.** Any solid waste stations (dumpsters) shall be placed on a concrete pad, appropriately screened, maintained, and shown on the site development plans, but shall not be placed within any buffer or setback area..

(s) **General Site Plan.** Plans showing the proposed development of the site shall be prepared by a licensed land surveyor, as well as a professional engineer or an architect, or both, and ten copies shall be submitted to the Commission on the City Plan for approval pursuant to the provisions of Chapter 17 hereof. Such plans shall show the entire site, the character of the abutting property, together with the on-site location and use of existing and proposed buildings; the on-site location and arrangement of required recreation areas; the topography of the property including contours and the location of existing rock outcroppings, large trees, watercourses, wetlands and major land marks; and the arrangement of buildings, circulation, driveways, sidewalks, planting and any other important features.

It is recommended that the applicant meet with the Planning Staff prior to the submission of an application under this subsection to give the applicant the opportunity to informally discuss the concept and ask any questions the applicant may have in the interest of avoiding delays and extensive revisions after submission.

(t) **Landscape Plan.** A landscape plan, portraying all landscaping elements, shall be submitted with the site development plan application. This plan will be incorporated into the maps comprising the site development plan, and shall be prepared by a qualified landscape professional. The landscaping plan shall include a listing and count of all trees and shrubs to be planted, by common and botanical names, size (caliper, height, time until maturity) at planting, and height and spread at maturity. Large trees and stands of mature trees and shrubs are to remain undisturbed where practical and desirable. All landscaping elements included on the approved landscaping plan shall be maintained in a manner sufficient to ensure its continuing performance and the survival of all plantings. Landscaping shall not obstruct line-of-sight for vehicles entering and exiting the premises, nor shall it unduly obstruct line-of-sight for vehicles entering and leaving either common driveways or other access ways.

**7.6.4 Common Interest Communities:** An Active Adult Community shall be a common interest community under the Common Interest Ownership Act of the State of Connecticut.

**Purpose:** To amend the Zoning Ordinance of the City of Norwich to provide for developments for adults 55 years of age or older which comply with the provisions of

the United States Fair Housing Act, as amended, the Housing for Older Persons Act of 1995 and Federal Law.

Submitted by: Mayor Benjamin Lathrop, by request